Attorney's Docket No.: 00637-025001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John H. Westerbeke Art Unit: 3747

Serial No.: 09/862,973 Examiner: Jason Benton

Filed: May 22, 2001

Title : CONTROLLING EXHAUST TEMPERATURES

MAIL STOP RCE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants submit for consideration the following description of Applicant's U.S. sales activity more than one year before the priority date of this application.

More than one year before the priority date of this application, Applicant sold a small number of marine generators in the U.S. equipped with engines including a catalyst disposed within a separate cylindrical housing attached to the exhaust manifold. The cylindrical housing was threadably connected to the exhaust manifold and did not include any water-jacket or coolant passages for receiving liquid coolant. The exhaust manifold was cooled with recirculated coolant.

Later, but still more than one year before the priority date of this application, Applicant offered for sale in the U.S. marine generators that included a catalyst packaged within a separate water-jacketed exhaust elbow. The exhaust elbow was affixed to the exhaust manifold and was cooled by seawater (referred to as raw water) flowing through coolant passages extending around the catalyst packaged in the exhaust elbow and then injected into the exhaust stream. The raw water was delivered to the exhaust elbow from an outlet of a heat exchanger. The exhaust manifold was cooled by recirculated coolant.

06/16/2006 JBALINAN 00000030 09862973

02 FC:1806

180.00 OP

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

Applicant: John H. Westerbeke Attorney's Docket No.: 00637-025001

Serial No.: 09/862,973 Filed: May 22, 2001

Page : 2 of 2

This filing is being made with the filing of a Request for Continued Examination. No fee is required. Please apply any charges or credits to Deposit Account No. 06-1550, referencing attorney docket 00637-025001.

Respectfully submitted,

Date: <u>6/9/2006</u>

Fish & Richardson P.C. 225 Franklin Street Boston, MA 02110

Telephone: (617) 542-5070 Facsimile: (617) 542-8906

21310485.doc

David L. Schüler Reg. No. 51,190